

November 1, 1994

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Mr. John P. Stetz  
 Sr. Vice President- Nuclear  
 Centerior Service Company  
 c/o Toledo Edison Company  
 Davis-Besse Nuclear Power Station  
 5501 North State Route 2  
 Oak Harbor, OH 43449

SUBJECT: EXEMPTION FROM 10 CFR 50 APPENDIX J REQUIREMENTS - DAVIS-BESSE  
 NUCLEAR POWER STATION, UNIT NO. 1 (TAC NO. M90649)

Dear Mr. Stetz:

In response to your letter dated October 21, 1994, the Commission has issued the enclosed Exemption from 10 CFR 50, Appendix J, Section III.D.2(b)(ii), issued pursuant to 10 CFR 50.12.

The Exemption allows a reduced pressure test of the containment air lock seals to fulfill the testing requirements specified in Appendix J, Section III.D.2(b)(ii) providing that no work is performed on the containment air locks that could affect air lock sealing capabilities during the periods covered by the requirement. The Exemption is being forwarded to the Office of the Federal Register for publication.

Sincerely,

Original signed by  
 Elinor G. Adensam

Elinor G. Adensam, Acting Director  
 Division of Reactor Projects III/IV  
 Office of Nuclear Reactor Regulation

Docket No. 50-346

Enclosure: Exemption

cc w/encl: See next page

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\*See previous concurrence

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

The Toledo Edison Company, Centerior  
Service Company, and the Cleveland  
Electric Illuminating Company

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Docket No. 50-346

EXEMPTION

I.

The Toledo Edison Company, Centerior Service Company, and the Cleveland Electric Illuminating Company (the licensees) hold Facility Operating License No. NPF-3, which authorizes operation of the Davis-Besse Nuclear Power Station, Unit No. 1. The license provides, among other things, that the facility is subject to all rules, regulations, and Orders of the Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

The facility is a pressurized water reactor located at the licensee's site in Ottawa County, Ohio.

II.

Section III.D.2(b)(ii) of 10 CFR Part 50, Appendix J requires that a full pressure air lock leakage test be performed whenever air locks are opened during periods when containment integrity is not required.

III.

By letter dated October 21, 1994, the licensee requested an Exemption from the requirement of 10 CFR 50, Appendix J, Section III.D.2(b)(ii) identified in Section II above. If an air lock is opened during Modes 5 and 6, Section III.D.2(b)(ii) of Appendix J requires that an overall air lock leakage test at not-less-than the calculated peak containment pressure from a design-basis loss of coolant accident (Pa) be conducted before plant heatup and startup (i.e., before entering Mode 4). Instead, if no maintenance has been performed on the air locks that affects air lock sealing capabilities,

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the licensee would conduct an air lock seal leakage test (Section III.D.2(b)(iii) of 10 CFR 50, Appendix J), for the full pressure air lock test required by Section III.D.2(b)(ii).

If the periodic six-month test of Section III.D.2(b)(i) of Appendix J and the test required by Section III.D.2(b)(iii) of Appendix J are current, and no maintenance has been performed on the air lock that affects air lock sealing capabilities, there should be no reason to expect the air lock to leak excessively, just because it has been opened in Mode 5 or Mode 6. If maintenance has been performed, which could affect air lock sealing capability, then a full-pressure air lock test will be performed following such maintenance.

The licensee's letter dated October 21, 1994, submitted information to identify the special circumstances for granting this exemption to Davis-Besse, pursuant to 10 CFR 50.12. The purpose of Appendix J to 10 CFR 50, is to assure that containment leak-tight integrity can be verified periodically, throughout service lifetime to maintain containment leakage, within the limits specified in the facility Technical Specifications. The proposed alternative test method, along with the six-month test requirement of Section III.D.2(b)(i) of Appendix J, and the testing requirements when maintenance is performed on the air lock that affects sealing capability, is sufficient to achieve this underlying purpose, in that it provides adequate assurance of continued leak-tight integrity of the air lock.

Based on the above discussion, the licensee's proposed substitution of an air lock seal leakage test described in III.D.2(b)(iii) for a full-pressure test, as discussed above, is acceptable.

IV.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, this exemption is authorized by law, and will not present an undue risk to the public health and safety, and is consistent with the common defense and security. The Commission further determines that special circumstances described by 10 CFR 50.12(a)(2)(ii) exist, in that application of the regulation in the particular circumstances is not necessary to achieve the underlying purpose of the rule, since the licensees have proposed an acceptable alternative method that accomplishes the intent of the regulation.

Accordingly, the Commission hereby grants the Exemption as described in Section III above from the requirements of 10 CFR 50, Appendix J, Section III.D.2(b)(ii).

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this Exemption will have no significant impact on the quality of the human environment (59 FR 54222).

This Exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Elinor G. Adensam, Acting Director  
Division of Reactor Projects III/IV  
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland  
this 14 day of November 1994